

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

IN RE: JOHN FANO,

DEBTOR

CHAPTER 13 BANKRUPTCY
CASE NO.: 14-60728

JOHN FANO,

MOVANT

V.

KEMPER M. BEASLEY, III, PC
DEFENDANT

ANSWER

Come now the Defendant, Kemper M. Beasley, III, pro se, and states his answers to the Motion for Contempt, Damages and Attorney Fees filed herein as follows;

1. Defendant neither admits nor denies the allegations in Paragraphs 1 through 8, as it is beyond the full scope of his knowledge and, therefore, denies the same and demands strict proof thereof.

2. Defendant understands, even though he has not verified, that the Deed of Trust lien has been released by JoAnne O'Brien filing a certificate of satisfaction in the Clerk's Office of the Circuit Court of Appomattox County, Virginia.

3. Defendant denies the allegation in Paragraph 10.

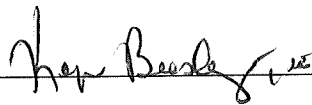
4. Defendant admits the allegation in Paragraph 11, that to the best of his knowledge JoAnne O'Brien filed a certificate of satisfaction in the Clerk's Office of the Circuit Court of Appomattox County, Virginia to release the deed of trust she had on property owned by the Debtor.

5. Defendant admits the allegation in Paragraph 12.

6. Defendant denies that Debtor should be awarded damages. The Defendant believes there is no evidence that, if violations of an automatic stay occurred, “that the violation was committed willfully” and “that the violation caused actual damages.” *Skillforce, Inc., v. Hafer*, 509 B.R. 523, 529 (Bankr. E.D. Va. 2014) and demands strict proof whereof.

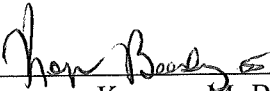
WHEREAS, the Defendant moves for this matter against the Defendant to be dismissed as there is no evidence that he willfully committed a violation of this Court nor is there any evidence of actual damages against the Debtor.

KEMPER M. BEASLEY, III,

By 

CERTIFICATE OF SERVICE

I, Kemper M. Beasley, III, hereby certify that a copy of the foregoing Answer was mailed to Reginal R. Yancey, Counsel for Debtor, P.O. Box 11908, Lynchburg, Virginia 24506, Herbert L. Beskin, Trustee, at P.O. Box 2103, Charlottesville, Virginia 22902 and to Margaret Valois, James River Legal, Counsel for JoAnne O'Brien, at 7601 Timberlake Road, Lynchburg, Virginia 24502 on the 19st day of January, 2021.



Kemper M. Beasley, III

KEMPER M. BEASLEY, III, PC

Attorney at Law
217 W. Third Street, Suite 8
P.O. Box 36
Farmville, Virginia 23901

TEL: (434) 392-1414
FAX: (434) 391-1219

kemper.beasley.law@gmail.com

January 19, 2021

United States Bankruptcy Court
Lynchburg Division
1101 Court Street
Room 166
Lynchburg, VA 24504

Re: John Fano
Chapter 13 Bankruptcy
Case Number: 14-60728

Dear Clerk:

Enclosed is my Answer to the Motion for Contempt, Damages and Attorney Fees. I am not represented by counsel but instead I am acting pro se. Thank you for your assistance.

Sincerely



Kemper M. Beasley, III

CC: Reginal R. Yancey
P.O. Box 11908
Lynchburg, Virginia 24506

Margaret Valois
James River Legal
7601 Timberlake Road
Lynchburg, Virginia 24502

Herbert L. Beskin, Trustee
P.O. Box 2103
Charlottesville, VA 22902